

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON **Jan 30, 2019**

SEAN F. McAVOY, CLERK

MARIA BARRIENTOS, o.b.o., E.B.B.,  
a minor child,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 4:18-CV-5083-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 21. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Lisa Goldoftas represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will hold a *de novo* hearing, further develop the record as necessary, and issue a new decision. The ALJ shall: (1) reevaluate E.B.B.'s impairments to

1 determine whether they meet, medically equal, or functionally equal a listing  
2 impairment, including listings 102.10 and 111.09; (2) reevaluate the statements of  
3 E.B.B.'s mother and explain the weight accorded to this evidence; and (3) obtain  
4 updated evidence from a medical expert. Plaintiff may present additional  
5 testimony and submit additional evidence.

**2. Judgment shall be entered for PLAINTIFF.**

3. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is

## STRICKEN AS MOOT.

4. An application for attorney fees and costs may be filed by separate motion.

The District Court Executive is directed to enter this Order, forward copies to counsel, and **CLOSE THE FILE**.

DATED January 30, 2019.



2019.  


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JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE